

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND  
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO,  
*et al.*,

Debtors.<sup>1</sup>

EMPRESAS OMAJEDE INC.

v.

THE FINANCIAL OVERSIGHT AND  
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO,

Debtor.

PROMESA  
Title III

No. 17 BK 3283-LTS  
(Jointly Administered)

PROMESA Title III

**This filing relates only to the  
Commonwealth and shall only be  
filed in Case No. 17-3283.**

Re: ECF No. 23758

**URGENT UNOPPOSED MOTION FOR EXTENSION OF DEADLINES REGARDING  
EMPRESAS OMAJEDE'S MOTION FOR ALLOWANCE AND PAYMENT OF  
ADMINISTRATIVE EXPENSE CLAIM**

<sup>1</sup> The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the "Commonwealth") (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority ("PBA", and together with the Commonwealth, COFINA, HTA, ERS, and PREPA, the "Debtors") (Bankruptcy Case No. 19-BK-5532-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

To the Honorable United States District Court Judge Laura Taylor Swain:

The Financial Oversight and Management Board for Puerto Rico (the “Oversight Board”) and the Commonwealth of Puerto Rico (the “Commonwealth”), by and through the Oversight Board, as the sole Title III representative of the Commonwealth pursuant to Section 315(b) of the *Puerto Rico Oversight, Management, and Economic Stability Act* (“PROMESA”),<sup>2</sup> respectfully submits this urgent unopposed motion for entry of an order (the “Urgent Motion”), substantially in the form attached hereto as **Exhibit A** (the “Proposed Order”), extending the deadlines in the *Order Granting Urgent Motion for Extension of Deadlines Regarding Empresas Omajede’s Motion for Allowance and Payment of Administrative Expense Claim* [ECF No. 23758] (the “Scheduling Order”). Counsel for the Oversight Board has contacted counsel for Empresas, and counsel for Empresas does not oppose the relief requested. In support of the Urgent Motion, the Commonwealth states as follows:

**REQUEST FOR RELIEF**

1. On January 18, 2023, Empresas Omajede, Inc. (“Movant”) filed *Empresas Omajede’s Motion for Allowance and Payment of Administrative Expense Claim Pursuant to 11 U.S.C. § 503* [ECF No. 23272] (the “Motion”), seeking payment of certain asserted administrative expenses, as described further in the Motion.

2. On January 19, 2023, the Court entered an order setting deadlines for responsive papers and reply papers [ECF No. 23279]. On March 8, 2023, the Court entered the Scheduling Order, extending these deadlines. Pursuant to the Scheduling Order, the deadline to file (i) responsive papers to the Motion is March 29, 2023 at 5:00 p.m. (Atlantic Standard Time) (the

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<sup>2</sup> PROMESA is codified at 48 U.S.C. §§ 2101–2241.

“Response Deadline”) and (ii) the Movant’s reply papers is April 5, 2023 at 5:00 p.m. (Atlantic Standard Time) (the “Reply Deadline”). The Motion will thereafter be taken under submission, unless the Court determines a hearing is necessary.

3. The Commonwealth is currently analyzing its books and records, together with information provided by Empresas in connection with the claims reconciliation process (including, but not limited to, additional information provided by Empresas on February 15, 2023, and pending information request made to Empresas on March 16, 2023), in an attempt to reconcile the assertions in the Motion. Accordingly, in order to permit the Commonwealth to complete its assessment, the Commonwealth respectfully requests an extension of the (a) Response Deadline from March 29, 2023 to **April 19, 2023 at 5:00 p.m. (Atlantic Standard Time)**, and (b) Reply Deadline from April 5, 2023 to **April 26, 2023 at 5:00 p.m. (Atlantic Standard Time)**.

4. Counsel for Movant has indicated that Movant does not oppose this request.

5. Pursuant to Paragraph I.H of the *Sixteenth Amended Notice, Case Management and Administrative Procedures* [EF No. 20190-1] (the “Case Management Procedures”), the Oversight Board hereby certifies that it has carefully examined the matter and concluded that there is a true need for an urgent motion; it has not created the urgency through any lack of due diligence; has made a bona fide effort to resolve the matter; has made reasonable, good-faith communications in an effort to resolve or narrow the issues that are being brought to the Court, and Movant does not oppose the relief requested herein.

### **NOTICE**

6. The Oversight Board has provided notice of this Urgent Motion in accordance with the Case Management Procedures to the following parties: (a) the Office of the United States Trustee for the District of Puerto Rico; (b) the entities on the list of creditors holding the 20 largest

unsecured claims against COFINA; (c) counsel to the statutory committee appointed in these Title III cases; (d) the Office of the United States Attorney for the District of Puerto Rico; (e) counsel to the Oversight Board and AAFAF; (f) all parties filing a notice of appearance in these Title III cases; and (g) Movant. A copy of the motion is also available at <https://cases.ra.kroll.com/puertorico>.

**WHEREFORE** the Oversight Board requests the Court enter the Proposed Order and grant such other relief as is deemed just and proper.

Dated: March 29, 2023  
San Juan, Puerto Rico

Respectfully submitted,

**PROSKAUER ROSE LLP**

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*Attorneys for the Financial Oversight  
and Management Board as*

*representative for the Commonwealth  
of Puerto Rico*

**CERTIFICATE OF SERVICE**

I hereby certify that, on this same date, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notifications of such filing to all CM/ECF participants in this case.

*/s/ Hermann D. Bauer*  
Hermann D. Bauer

**EXHIBIT A**

**Proposed Order**

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND  
MANAGEMENT BOARD FOR PUERTO RICO,

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THE COMMONWEALTH OF PUERTO RICO,  
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Debtors.<sup>1</sup>

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PROMESA  
Title III

No. 17 BK 3283-LTS  
(Jointly Administered)

PROMESA Title III

**This filing relates only to the  
Commonwealth and shall only be  
filed in Case No. 17-3283.**

Re: ECF No. 23758

**ORDER GRANTING URGENT UNOPPOSED MOTION FOR EXTENSION OF  
DEADLINES REGARDING EMPRESAS OMAJEDE'S MOTION FOR ALLOWANCE  
AND PAYMENT OF ADMINISTRATIVE EXPENSE CLAIM**

<sup>1</sup> The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the "Commonwealth") (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority ("PBA", and together with the Commonwealth, COFINA, HTA, ERS, and PREPA, the "Debtors") (Bankruptcy Case No. 19-BK-5532-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

Upon consideration of the *Urgent Unopposed Motion for Extension of Deadlines Regarding Empresas Omajede's Motion for Allowance and Payment of Administrative Expense Claim* (Docket Entry No. \_\_\_ in Case No 17-3283, the “Urgent Motion”);<sup>2</sup> and the Court having found it has subject-matter jurisdiction over this matter pursuant to PROMESA section 306(a); and it appears that venue in this district is proper pursuant to PROMESA section 307(a); and the Court having found the Oversight Board provided adequate and appropriate notice of the Urgent Motion under the circumstances and no other or further notice is required; and upon the record herein, after due deliberation thereon, the Court having found good and sufficient cause exists for the granting of the relief as set forth herein:

1. The Urgent Motion is **GRANTED** as set forth herein.
2. The Scheduling Order shall be modified as provided herein.
3. The following briefing schedule shall apply:
  - a. The deadline for parties to file responsive papers to the Motion shall be **April 19, 2023 at 5:00 p.m. (Atlantic Standard Time)**.
  - b. The deadline for the Movant to file a reply to all oppositions and responses shall be **April 26, 2023 at 5:00 p.m. (Atlantic Standard Time)**.
4. The Court will thereafter take the Motion on submission.
5. The Court shall retain jurisdiction to hear and determine all matters arising from the implementation of this Order.

SO ORDERED:

Dated: [ ], 2023

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HONORABLE LAURA TAYLOR SWAIN  
United States District Judge

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<sup>2</sup> Capitalized terms not otherwise defined herein shall have the meanings given to them in the Urgent Motion.